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OFFICE OF PETITIONS

In re Patent No. 7,824,611 :

Issue Date: November 2, 2010 :

Application No. 10/697,351 :

Filed: October 29, 2003 :

Attorney Docket No. 36671-716.302 :

ON PETITION

This is a decision on the paper filed May 11, 2011, which is being treated as a petition under 37 CFR 3.81(b) to correct the name of the assignee on the front page of the above-identified patent by way of a certificate of correction.

The petition is **DISMISSED**.

Petitioner requests issuance of a certificate of correction in the name of "ALERE SAN DIEGO, INC., San Diego, CA (US)."

37 CFR 3.81(b), effective June 25, 2004, reads:

After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 **before issuance of the patent**, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17(i) of this chapter [emphasis added]. *See also* MPEP 1481.01.

U.S. Patent and Trademark Office assignment records disclose that an assignment to "ALERE SAN DIEGO, INC., SAN DIEGO, CA (US)." was recorded on **March 10, 2011**. Accordingly, issuance of a certificate of correction would not be proper for "ALERE SAN DIEGO, INC., SAN DIEGO, CA (US)."

Application No. 10/697,351
Patent No. 7,824,611

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Telephone inquiries concerning this decision on petition should be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions